

REMARKS/ARGUMENTS

Amendments

The claims are modified in the Amendment. More specifically, claims 1, 2, 7, 8, 13, 14, 19, 20, 24, 25, 27 and 28 have been amended, and claims 3, 5, 15, 17, 26 and 29 have been cancelled without prejudice or disclaimer. With these amendments, claims 1, 2, 4, 6-14, 16, 18-25, 27 and 28 are present for examination, and claims 1, 13 and 24 are the independent claims. No new matter is added. Applicant respectfully requests reconsideration of this application as amended.

35 U.S.C. § 102 Rejection, Ozawa; § 103 Ozawa in view Bialik

The Office Action has rejected claims 1-9, 11-19 and 21-28 under 35 U.S.C. § 102(b) as being anticipated by the cited portions of U.S. Patent No. 5,774,835 to Ozawa (hereinafter "Ozawa"). The Office Action has rejected claims 10 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Ozawa in view of the cited portions of U.S. Patent No. 5,544,278 to Bialik et al. (hereinafter "Bialik"). Independent claims 1, 13 and 24 are amended to recite aspects of the invention more particularly. Specifically, the claims are amended to require: 1) *determining a power of the enhancement signal*, and 2) *constraining possible values for the power of the enhancement signal based on characteristics of the distorted input signal*. These limitations are not found in Ozawa.

1. Power Determination

Claims 1, 13 and 24 have been amended to require "determining a power" of the "enhancement signal." This limitation was, in part, included in dependent claims 2, 14 and 25. The Office Action states that the function $R(m)$ corresponds to the power of the enhancement signal of the present invention (Office Action dated June 3, 2005, page 7, lines 3-9). In fact, in Ozawa, $R(m)$ is the power of the impulse response $h_w(n)$, and thus is a measure of the *gain* of the corresponding filter (Ozawa, column 6, lines 11-24; Fig. 3). Thus, $R(m)$ is neither the power of a

signal, nor the power of an enhancement signal. Therefore, Ozawa does not disclose the limitation "determining a power" of the "enhancement signal," as found in the claims.

2. Constraining Power Values

Claims 1, 13 and 24 have been amended to require "constraining possible values for the power" of the "enhancement signal based on characteristics of the distorted input signal." This limitation was, in part, included in dependent claims 3 and 15. The Office Action states that adjustment by the "gain adjustment circuit 40" of a "gain to equal power of the reproduced signal $S(n)$ " corresponds to constraining possible values of the power of the enhancement signal by characteristics of the distorted input signal (Office Action dated June 3, 2005, page 7, lines 10-12). However, the disclosure of Ozawa simply does not teach this limitation.

Figure 1 of Ozawa illustrates this point, as compensation filter 30 processes $y(n)$, which is the enhanced signal, and outputs $g(n)$ (Ozawa, column 6, lines 50-58). The gain adjustment circuit 40 takes as input $g(n)$, which is an enhanced signal, or a function of the enhanced signal $y(n)$, and adjusts the gain so as to equal power of the reproduced signal $S(n)$ (*Id.*, column 6, lines 59-61). Thus, Ozawa does not disclose any constraining of the enhancement signal which, according to the Office Action, is represented by the summation terms on the right hand side of Equation (12) (*Id.*, column 5, lines 54-59). Instead, Ozawa discloses that the enhanced signal, $y(n)$ or $g(n)$, is power adjusted. Therefore, Ozawa does not disclose the limitation of claim 1 "constraining possible values for the power" of the "enhancement signal based on characteristics of the distorted input signal" as required in the claims.

Claims 1, 13 and 24 are allowable for at least the foregoing reasons. Claims 2, 4, 6-12, 14, 16, 18-23, 25, 27 and 28 each recite limitations in addition to those in the independent claims, and these claims are believed allowable for at least the same reasons as given above.

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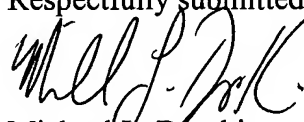
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Conclusion

In view of the foregoing, Applicant believes all claims now pending in this application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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